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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,387	12/17/1999	SATOSHI NISHIKAWA	862.3179	8815

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

WALLERSON, MARK E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 09/02/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/465,387

Applicant(s)
Nishikawa et al

Examiner
Mark Wallerson

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2622



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-25, and 27-31 is/are rejected.
- 7) ☒ Claim(s) 6, 14, and 26 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-31 are pending.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27,

28, 29, 30, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Karaki (U. S.

5,699,492).

With respect to claims 1, 9, 17, 19, 20, 21, 30, and 31, Karaki discloses a data processing apparatus (figure 1) comprising conversion means (9) for spooling a rendering command based on data generated by an application program (5) and converting the data so as to comply with an output format of an external device (3) (column 3, line 56 to column 4, line 7); print data

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generation means (11) for generating print data which can be interpreted by the external device (3) based on the data converted by the conversion means (column 3, line 56 to column 4, line 7), wherein the conversion means changes a processing content in accordance with environment data (PDL) related to a usage environment (bitmap) of the data processing apparatus (column 3, line 56 to column 4, line 17), and displays a message (column 3, lines 51-56).

With regard to claims 2, 10, and 22, Karaki discloses the environment data includes information regarding a language used (Postscript) (column 4, lines 8-17).

With respect to claims 3, 11, and 23, Karaki discloses storing a setting-information file (meta-file) which stores various setting information corresponding to the environment data (column 4, lines 37-52), wherein when the conversion means performs conversion processing on the rendering command, the conversion means acquires the environment data and performs processing corresponding to the acquired environment data based on the setting-information file (column 4, line 50 to column 5, line 5).

With regard to claims 4, 12, 18, and 24, Karaki discloses the print data generation means is a printer driver (column 3, lines 45-50).

With respect to claims 5, 13, and 25, Karaki discloses the conversion means (9) is a module independent of the driver (11) and used by plural drivers (figure 1).

With regard to claims 7, 15, and 27, Karaki discloses the external device is a printer (3) and the conversion means changes setting of a character used in the printing processing of the printer in accordance with the environment data (column 3, line 66 to column 4, line 49).

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With respect to claims 8, 16, 28, and 29, Karaki discloses the conversion means is capable of changing a processing content for each job (column 4, lines 61-67 and column 5, lines 6-12).

Allowable Subject Matter

5. Claims 6, 14, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

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or hand-carried to:

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)


MARK WALLERSON
PRIMARY EXAMINER

MARK WALLERSON